

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ERNEST CORNELIUS WILLIAMS, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 4:09CV211 NCC
	)	
JUDITH SILVEY, et al.,	)	
	)	
Defendants,	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiffs' notice of appeal. Plaintiff Earnest Williams, a prisoner, has neither paid the appellate filing fee nor filed a motion for leave to proceed in forma pauperis. Plaintiff must pay the fee or file a motion for leave to proceed in forma pauperis in order to proceed with the appeal. If plaintiff chooses to file a motion for leave to proceed in forma pauperis, he must also submit a prison account statement as required by 28 U.S.C. § 1915(a)(2).

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff Earnest Williams shall, within thirty days of the date of this Order, either pay the \$505 appellate filing fee<sup>1</sup> or file a motion to proceed in forma pauperis on appeal with a certified copy of his prisoner account statement for the six-month period immediately preceding the filing of the notice of appeal.

---

<sup>1</sup>If plaintiff chooses to pay the filing fee, plaintiff should make the remittance payable to "Clerk, United States District Court," and to include upon it: (1) his or her name; (2) his or her prison identification number; (3) the case number; and (4) that the remittance is for the appeal of the instant action.

**IT IS FURTHER ORDERED** that the Clerk shall mail to plaintiff Earnest Williams a copy of the “Motion to Proceed In Forma Pauperis - Prisoner Cases” form.

Dated this 23rd day of July, 2014.

/s/Noelle C. Collins

NOELLE C. COLLINS

UNITED STATES MAGISTRATE JUDGE